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UNCLAS BAGHDAD 004963

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E.O. 12958: N/A

TAGS: MOPS PHUM PGOV KJUS IZ AG XA

SUBJECT: INFORMATION UPDATE ON ALGERIAN DETAINEE

REF: ALGIERS 2337

¶1. (SBU) Post passed Embassy Algiers' request for information (see Reftel) to Coalition Forces, and has been informed that Mohmad Ahmed Mohamed Waber (DPOB 27 SEP 1975, Al Shalaf, Algeria) was detained on 21 May 2005 inside a targeted terrorist safe house. Mr. Waber has been referred to the Central Criminal Court of Iraq for trial. Mr. Waber, who is held at the Coalition's Camp Bucca detention facility near Um Qasr, was not in possession of a passport or other national identification at the time of his detention.

¶2. (SBU) Post notes that Section V of the Fourth Geneva Convention (Articles 136-141) addresses the responsibility of detaining powers to transmit information concerning persons detained. Article 137 makes an exception for those situations in which the information's transmission "might be detrimental to the person concerned or to his or her relatives." Post defers to the Department on whether this provision is applicable - either legally or as a matter of policy - in this case, and to Embassy Algiers as to its assessment of whether passing details of Mohamed's detention to the GOA might have any possible detrimental effect on Mohamed or his relatives.

KHALILZAD